

1 BARRY J. PORTMAN  
 2 Federal Public Defender  
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 5 19th Floor Federal Building  
 6 450 Golden Gate Avenue  
 7 San Francisco, CA 94102  
 8 (415) 436-7700

9 Counsel for Defendant STUART

10

11 IN THE UNITED STATES DISTRICT COURT  
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA

13

14 UNITED STATES OF AMERICA,	)	No. CR-05-70262 MAG
15 v.	)	STIPULATION AND [PROPOSED]
16 ZIBU GAO, et al.,	)	ORDER WAIVING APPEARANCES OF
	)	DEFENDANTS STUART, DOUGLASS,
	)	AND LANGE AT STATUS CONFERENCE
	)	ON JULY 21, 2005
17 Defendants.	)	

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18 Defendants Tiffany Stuart, Brandy Douglass, and Jennifer Lange have made their initial  
 19 appearance in this district on complaints charging them with immigration-related fraud, in  
 20 violation of 18 U.S.C. § 1546(a). Each was released on an unsecured bond and ordered to appear  
 21 for preliminary hearing or arraignment on June 30, 2005. On June 30, 2005, the matter was  
 22 continued to July 21, 2005.

23 Ms. Stuart, Ms. Douglass, and Ms. Lange live in Los Angeles. In order to appear for  
 24 court in this district, the defendants must arrange for transportation and accommodations in San  
 25 Francisco. These arrangements impose significant financial hardship on the defendants, each of  
 whom is represented by court-appointed counsel.

26 Federal Rule of Criminal Procedure 43(b) provides that a defendant need not be present

1 when “[t]he proceeding involves only a conference or hearing on a question of law.” Fed. R.  
2 Crim. P. 43(b)(3). The parties anticipate that the appearance on July 21, 2005 will be limited to  
3 the setting of future dates in the matter.

4 Accordingly, the parties agree and stipulate that the personal appearance of Ms. Stuart,  
5 Ms. Douglass, and Ms. Lange at the status conference on July 21, 2005 should be excused.  
6 Counsel for these defendants will appear on their behalf.

7  
8 Dated: 7/19/05  
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BARRY J. PORTMAN  
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JOSH COHEN  
Assistant Federal Public Defender  
Counsel for TIFFANY STUART

10  
11 Dated:

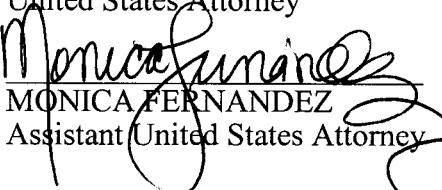
SUZANNE LUBAN  
Counsel for JENNIFER LANGE

12  
13 Dated:

GEOFFREY ROTWEIN  
Counsel for BRANDY DOUGLASS

14  
15 Dated: 7/19/05  
16  
17  
18

KEVIN V. RYAN  
United States Attorney

  
MONICA FERNANDEZ  
Assistant United States Attorney

20 Accordingly, and for good cause shown, it is hereby ORDERED that defendants Tiffany  
21 Stuart, Brandy Douglass, and Jennifer Lange shall be excused from personally appearing at the  
22 status conference in this matter on July 21, 2005.

23  
24 Dated: July 20, 2005  
25  
26

  
NANDOR VADAS  
UNITED STATES MAGISTRATE JUDGE

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9 JOSH COHEN  
10 Assistant Federal Public Defender  
11 Counsel for TIFFANY STUART

12 Dated:

13 SUZANNE LUBAN  
14 Counsel for JENNIFER LANGE

15 Dated: 7/19/05

16   
17 GEOFFREY ROTWEIN  
Counsel for BRANDY DOUGLASS

18 KEVIN V. RYAN  
United States Attorney

19 Dated:

20 MONICA FERNANDEZ  
21 Assistant United States Attorney

22 Accordingly, and for good cause shown, it is hereby ORDERED that defendants Tiffany  
23 Brandy Douglass, and Jennifer Lange shall be excused from personally appearing at the  
24 status conference in this matter on July 21, 2005.

25 Dated:

26 NANDOR VADAS  
UNITED STATES MAGISTRATE JUDGE

07-19-05

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From-FEDERAL PUBLIC DEFENDER

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Counsel for TIFFANY STUART

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Suzanne Luban  
Counsel for JENNIFER LANGE

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NANDOR VADAS  
UNITED STATES MAGISTRATE JUDGE

23

24 CR 05-70262 MAG; STIP WAIVING DEF'S.  
25 APPEARANCE

1                   **CERTIFICATE OF SERVICE**  
2  
3  
4  
5  
6

The undersigned hereby certifies under penalty of perjury that the following true copy of the  
**Stipulation and Order Waiving Appearances of Defendants Stuart, Douglass, And Lange at Status**  
**Conference on July 21, 2005**, concerning the case of United States v. Zibu Gao, et.al., CR 05-70262  
MAG was filed dated July 20, 2005 and hand delivered to:

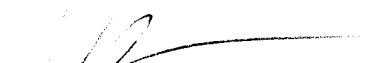
7                   United States Attorney  
8                   450 Golden Gate Ave, 11th Floor  
9                   San Francisco, CA,  
10                  Assistant United States Attorney  
11                  Monica Fernandez

12                  and by Fax Transmittal to:

13                  Suzanne Luban

14  
15  
16  
17                  Geoffrey Rotwein

July 20, 2005

  
MICHAEL TARKINGTON

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